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February 4, 1999

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

VIA HAND DELIVERY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
TW-A325
Washington, D.C. 20554

Re: Revision of the Commission's Rules to Ensure
Compatibility with Enhanced 911 Emergency Calling Systems
CC Docket No. 94-102/RM-8143

Guidelines for Waivers of Section 20.18(e) of the
Commission's Rules - DA 98-2631

Dear Ms. Salas:

On behalf of Cincinnati Bell Wireless, LLC ("Cincinnati Bell Wireless"), this is in response to the Commission's Public Notice, *Wireless Telecommunications Bureau Outlines Guidelines for Wireless E911 Rule Waivers for Handset-Based Approaches to Phase II Automatic Location Identification Requirements*, DA 98-2631 (released December 24, 1998) regarding waivers of Section 20.18(e) of the Commission's rules and regarding further development of policies and rules for wireless E911 deployment.

Cincinnati Bell Wireless is the licensee of 20 MHz of A Block Broadband PCS spectrum in the Cincinnati and Dayton-Springfield BTAs which was acquired by assignment from AT&T Wireless PCS, Inc. (File No. 50446-CW-AL-98; granted effective August 17, 1998). The ownership, management and related operations arrangements approved by the Commission in the foregoing assignment reflect the close working relationship between Cincinnati Bell Wireless and the AT&T Wireless nationwide network.

The instant response is being filed to support grant of the relief requested in the attached copy of the Comments of AT&T Wireless Services, Inc. which are being filed concurrently with the Commission. Cincinnati Bell Wireless also requests grant of such relief on its own behalf. For all of the reasons presented in those Comments, the Commission should not take

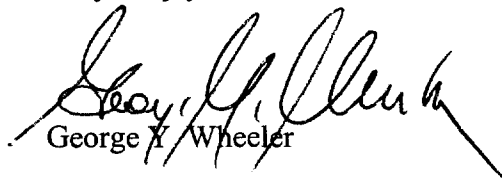
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any action in response to waiver requests that will preclude AT&T Wireless and other carriers like Cincinnati Bell Wireless from adopting the best possible Phase II automatic location identification solution.

In the event there are any questions regarding the above matters, please contact the undersigned.

Very truly yours,



George Y. Wheeler

ATTACHMENT

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.**

In the Matter of)	
)	
Revision of the Commission's Rules)	CC Docket No. 94-102
To Ensure Compatibility with)	RM-8143
Enhanced 911 Emergency)	
Calling Systems)	
)	
Guidelines for Waivers of)	DA 98-2631
Section 20.18(e) of the)	
Commission's Rules)	

COMMENTS OF AT&T WIRELESS SERVICES, INC.

AT&T Wireless Services, Inc. ("AT&T"), by its attorneys, respectfully submits these comments in response to the Wireless Telecommunications Bureau's December 24, 1998 Notice setting forth guidelines for requests for waivers of section 20.18(e) of the Commission's rules.^{1/}

As a leading provider of wireless services, AT&T strongly supports the development of enhanced 911 services, including automatic location identification ("ALI") services. While AT&T is firmly committed to meeting the Commission's Phase II ALI requirement, AT&T has not yet determined what technology it will use to comply. In light of the still formative state of ALI technology today, it is simply too early to commit to any one particular solution.

Accordingly, AT&T urges the Commission not to take any action in response to the waiver requests that will preclude AT&T and other carriers from adopting the best possible Phase II ALI solution.

^{1/} "Wireless Telecommunications Bureau Outlines Guidelines for Wireless E-911 Rule Waivers for Handset-Based Approaches to Phase II Automatic Location Identification Requirements," Public Notice, DA 98-2631, rel. Dec. 24, 1998 ("Notice").

AT&T has been working diligently for over a year to ensure ALI compliance. AT&T has met, and continues to meet, with virtually every vendor of promising technology and is continually learning about new and innovative approaches for providing ALI services. AT&T is also a vice chair of the TR-45.2 AHES standards group and is helping to lead the standard setting process for Phase II network solutions. Through Houston Cellular, a partnership of AT&T and BellSouth, AT&T and its Phase I vendor, SCC, are participating in an analog Phase II trial that will be expanded to include digital technology later this year.

To meet the October 1, 2001 Phase II deadline, AT&T has committed to observing and conducting trials of ALI technologies in calendar year 1999 and selecting vendors and technologies as soon as possible thereafter. While this timetable should allow AT&T to meet the Commission's Phase II deadline, it may preclude AT&T from considering a handset-based solution because no such technology is currently available. Although AT&T believes that handset-based technology may be the best solution in the long run for many applications, AT&T would need a waiver of the October 1, 2001 deadline in order to investigate the feasibility of a handset-based approach.

To obtain a waiver, however, the Bureau has asked carriers to provide it with detailed information regarding the level of ALI accuracy and reliability the carrier plans to offer, the date the carrier will begin offering ALI-capable handsets to its customers, and the steps the carrier will take to minimize problems with non-ALI capable handsets and roamers. Notice at 4. Because no nationally deployable, fully tested, cost effective handset-based technology currently exists, AT&T simply cannot provide the detailed information that the Bureau is requesting. Moreover, despite the claims of some equipment manufacturers to the contrary, there is currently no network-based solution available for carriers using Time Division Multiple Access

("TDMA") technology in their wireless networks, precluding AT&T from relying on a network-based solution as a back up.

AT&T does not believe that its situation is unique. While AT&T commends the Bureau for raising these issues well in advance of the Phase II deadline, AT&T is concerned that the Bureau unintentionally may force carriers to commit to an inferior technology in order to meet a rigid waiver deadline or standard. Because of the uncertain state of ALI technology today, the Bureau should adopt a flexible and technologically neutral framework for Phase II compliance that will allow AT&T and other carriers to make Phase II compliance decisions based on the benefits to public safety and the performance and cost effectiveness of the technology, rather than arbitrary formulas and compliance dates.

I. IT IS PREMATURE TO COMMIT TO ANY ONE TECHNOLOGY

While the Notice focuses on handset-based technologies, the Bureau also asks parties filing waiver requests and comments to address any legal or other issues that might be raised by the grant of waivers. Notice at 5. AT&T believes that the generally uncertain state of ALI technology is of crucial importance and should be considered by the Bureau when deciding whether and what type of relief to grant.

A. There Is No Network-Based Solution for TDMA Systems

AT&T and its affiliates currently use digital IS-136 TDMA technology in their wireless networks. IS-136 TDMA is the wireless digital standard that serves as the foundation of AT&T's nationwide Digital PCS service and allows AT&T and its affiliates to provide advanced wireless services such as caller ID, Internet e-mail capabilities, short messaging, paging, and advanced fraud protection features. All the reported tests and demonstrations of ALI technology,

however, have involved analog wireless systems. AT&T is unaware of any existing ALI solutions, either network-based or handset-based, for TDMA systems.

AT&T has learned that at least one vendor plans to begin testing of a network-based ALI solution for TDMA systems later this year. This will be the first ever test of this technology to determine whether it will even work. Thereafter, issues will remain concerning whether any solution will meet the Commission's accuracy guidelines or will negatively impact digital performance. While other new solutions, such as a proposal to share a single ALI network among all competitors in a market, are interesting, they will need to be tested in a real world environment. Moreover, as set forth above, the standards-setting process for ALI network-based solutions is not yet complete.^{2/} Thus, any suggestion that a TDMA ALI solution is procurement-ready today is not supported by the facts.

If AT&T were forced to commit to a specific ALI solution immediately, it would have to choose among various network-based solutions because they are the only solutions that offer the potential for wide deployment in the near future. Because there is not even a network-based ALI solution currently available for TDMA systems, however, AT&T would need a waiver of section

^{2/} In addition, the Commission's accuracy standard itself may be subject to change in the near future. On November 25, 1998, the Wireless E9-1-1 Implementation Ad-Hoc ("WEIAD"), a group of wireless carriers, vendors, and public safety and consumer representatives, submitted an ex parte to the Commission recommending the following clarification to section 20.18(e): "Phase II location will be attempted on all 911 calls routed toward a Public Safety Answering Point ("PSAP") and will be accurate to within 125 meters in 67% of these calls." WEIAD's recommendation represents consensus by all parties and no oppositions have been submitted.

20.18(e) if there was an imminent deadline. Fortunately, the ALI compliance deadline is over two years away and AT&T is hopeful that this situation will change in the next year.^{3/}

B. There Are No Handset-Based Solutions Currently Available

Even if a network-based ALI solution for TDMA systems becomes available within the next year, it does not necessarily mean that AT&T will adopt a network-based solution.

Network-based solutions are extremely expensive and may not be as reliable as handset-based mechanisms for certain applications. Equipment would have to be added to every cell site and implementing such a solution would be very burdensome from an operations standpoint.

Compared to network-based solutions, AT&T believes that, in the long run, handset-based solutions will be less costly and, more importantly, more accurate for certain applications.

Despite rapid development, handset-based solutions are not yet ready for testing, much less deployment. Thus, there is currently no evidence that handset-based solutions will work in all environments. Moreover, as the Bureau is well aware, there are unresolved issues regarding roaming and the use of legacy handsets. AT&T is also concerned that proposals to add ALI technology to handsets might be at odds with consumer preferences for smaller and less expensive handsets. While new proposals based on battery-module technology have the potential to make handset-based solutions more feasible, it likely will be impossible to complete

^{3/} If the situation does not improve within the next year or if other factors outside of AT&T's control develop that could prevent AT&T from complying with section 20.18(e), AT&T will notify the Bureau.

development and testing and set standards in time to meet the Commission's deadline for Phase II.^{4/}

While AT&T cannot provide the detailed information the Bureau has requested regarding implementation of a handset-based solution, to the extent the Bureau grants a general waiver or adopts a set of waiver options, AT&T asks to be included in such general relief.

II. THE BUREAU SHOULD ENSURE THAT CARRIERS HAVE THE FLEXIBILITY TO ADOPT THE BEST POSSIBLE PHASE II ALI SOLUTION

The Bureau should not do anything in this proceeding that would preclude carriers from using either a handset-based or network-based solution or place carriers at a competitive disadvantage if they choose one or the other or both. The issue is not network-based versus handset-based solutions. Instead, AT&T believes that the best solution may turn out to be a combination of the two technologies. Therefore, AT&T urges the Bureau not to take any action in response to the waiver requests that will preclude or discourage AT&T from adopting the best possible Phase II ALI solution. Instead, the Bureau should adopt a flexible and technologically neutral framework for Phase II compliance that will allow AT&T and other carriers to make their Phase II technology decisions based on the benefits to public safety, and the performance and cost effectiveness of the technology.

CONCLUSION

AT&T strongly supports the Commission's Phase II ALI requirements and is working hard to ensure that it meets the Phase II deadline. AT&T commends the Bureau for providing this opportunity for carriers to present information about obstacles to compliance with the Phase

^{4/} As with any potential network-based solution, AT&T will have to conduct its own integration tests to ensure that any potential handset-based solution will not negatively impact digital performance.

II ALI deadline. To provide consumers with the most reliable and cost effective solution, the Bureau should adopt relief that allows carriers to consider the widest possible range of technological solutions, including a handset-based solution.

Respectfully submitted,

AT&T WIRELESS SERVICES, INC.

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